

# HOUSE BILL No. 1347

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 9-23-2-2; IC 9-23-2-2.5.

**Synopsis:** Educational training for used vehicle dealers. Requires a natural person and the chief executive officer or president of a corporation applying for an initial license to buy or sell used motor vehicles to have completed educational training designed to promote good business practices of the purchase and sales of used motor vehicles. Requires the bureau of motor vehicles to adopt rules for the educational training requirements.

**Effective:** July 1, 1999.

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**Dobis, Burton**

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January 12, 1999, read first time and referred to Committee on Commerce and Economic Development.

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First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

## HOUSE BILL No. 1347

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 9-23-2-2 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) An application for a license  
3 under this chapter must:

- 4 (1) be accompanied by the fee required under IC 9-29-8;  
5 (2) be on a form prescribed by the bureau; and  
6 (3) contain the information the bureau considers necessary to  
7 enable the bureau to determine fully the following information:

8 (A) The qualifications and eligibility of the applicant to  
9 receive the license **including:**

10 (i) **whether a natural person, upon initial application to**  
11 **buy or sell used motor vehicles, has satisfied the**  
12 **educational training requirements set forth in section 2.5**  
13 **of this chapter; and**

14 (ii) **whether the chief executive officer or president of a**  
15 **corporation, upon initial application to buy or sell used**  
16 **motor vehicles, has satisfied the educational training**  
17 **requirements under section 2.5 of this chapter.**



(B) The location of each of the applicant's places of business in Indiana.

(C) The ability of the applicant to conduct properly the business for which the application is submitted.

(b) An application for a license as a dealer must show whether the applicant proposes to sell new or used motor vehicles, or both.

(c) This subsection applies to an application for a license as a dealer in a city having a population of more than one hundred ten thousand (110,000) but less than one hundred twenty thousand (120,000). The application must include an affidavit from:

(1) the person charged with enforcing a zoning ordinance described in this subsection; or

(2) the zoning enforcement officer under IC 36-7-4, if one exists; who has jurisdiction over the real property where the applicant wants to operate as a dealer. The affidavit must state that the proposed location is zoned for the operation of a dealer's establishment. The applicant may file the affidavit at any time after the filing of the application. However, the bureau may not issue a license until the applicant files the affidavit.

SECTION 2. IC 9-23-2-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 2.5. (a) A natural person who applies for a license to buy or sell used motor vehicles under section (2)(b) of this chapter shall complete educational training designed to promote good business practices of the purchase and sales of used motor vehicles.**

**(b) The chief executive officer or president of a corporation that applies for an initial license to buy or sell used motor vehicles under section (2)(b) of this chapter shall complete educational training designed to promote good business practices of the purchase and sales of used motor vehicles.**

**(c) Educational training under this section must include:**

**(1) seminars approved by the bureau as appropriately related to the business of buying or selling used motor vehicles;**

**(2) national or state motor vehicle association sponsored seminars, courses of instruction, or professional meetings dealing with the subject of used motor vehicles;**

**(3) courses related to used motor vehicles at a private, technical, vocational, correspondence, or trade school under IC 20-12-62-4 or state educational institution under IC 20-12-0.5-1; or**

**(4) seminars or courses related to used motor vehicles sponsored by a state or federal agency.**



- 1 (d) The bureau shall adopt rules under IC 4-22-2 to establish
- 2 educational training requirements under this section and to carry
- 3 out this section.

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